IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

WP(C).No. 37062 of 2004(K)

PETITIONER:

B.ANILKUMAR, B.L.NIVAS,
PALAYAMKUNNU, VARKALA.

BY ADV. SRI.A.INEES

RESPONDENTS:
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1. **THE REGIONAL TRANSPORT AUTHORITY,**
   THIRUVANANTHAPURAM RURAL AT ATTINGAL,
   REPRESENTED BY ITS SECRETARY.

2. **THE SECRETARY, REGIONAL TRANSPORT**
   AUTHORITY, THIRUVANANTHAPURAM RURAL AT ATTINGAL.

3. **THE DISTRICT TRANSPORT OFFICER,**
   K.S.R.T.C., ATTINGAL.

BY ADV. SRI.K.PRABHAKARAN, SC, KSRTC
BY GOVT.PLEADER SMT. N. SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.37062/2004 K

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1; COPY OF THE PROCEEDINGS OF THE 1ST RESPONDENT DTD. 4/10/2002 IN ITEM NO.66.

EXT.P2: ROUGH SKETCH OF THE ROUTE.

EXT.P3: COPY OF THE PROCEEDINGS OF THE 1ST RESPONDENT DTD. 26/03/2002 IN ITEM NO.1.

EXT.P4: COPY OF THE PROCEEDINGS OF THE RTA, KOLLAM DTD. 08/08/2002 IN ITEM NO.119.

EXT.P5: COPY OF THE MEMORANDUM OF M.V.A.A.NO.629/02 DTD. 5/11/2002 FILED BY THE PETITIONER AGAINST EXT.P1.

EXT.P6: COPY OF THE JUDGMENT OF THE STATE TRANSPORT APPELLATE TRIBUNAL IN M.V.A.A.NO.629/02 DTD. 20/08/2004.

/TRUE COPY/

KSS

K.BALAKRISHNAN NAIR,J.

WP(C)NO.37062 OF 2004-K

Judgment

The point raised by the petitioner is covered in his favour by the decisions of this Court in WA No.120/06 and Writ Petition(C) No.1612/07. In the light of the said decisions, the impugned order Ext.P6 is untenable. Accordingly, it is quashed. Ext.P5 appeal is remitted to the State Transport Appellate Tribunal for disposal in accordance with law.

The Writ Petition is disposed of as above.

08.03.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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